

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, December 23, 2008, the following members were present:

Greg Jergeson, Chairman
Doug Mood, Vice Chairman
Brad Molnar, Commissioner
Robert H. Raney, Commissioner
Ken Toole, Commissioner

APPEARANCE
Scott Fabel, Utility Division

(460) In the matter of N2008.12.141: Verizon Business Services. On December 5, 2005, MCI Communications Services, Inc. d/b/a Verizon Business Services, requested to remove tariffs related to Large Business and Enterprise Customers from Montana Tariff No. 2 and move them to new Tariff No. 3 dedicated to Large Business and Enterprise Customers.

Commissioner Raney moved to APPROVE Verizon Business Services request in Docket N2008.12.141. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(461) In the matter of T-08.39.PCN: On September 23, 2008 Mining City Taxi LLC, Butte, Montana filed an application for a certificate of public convenience and necessity.

Commissioner Raney moved to APPROVE the application as amended. Commissioner Toole seconded the motion, which passed unanimously.

(462) In the matter of TN2424: C.B. Geier, Helena, Montana and Tiger Express LLC, Helena, Montana request that the lease of PSC No. 3584 be cancelled and control of the authority be turned to C.B. Geier effective December 15, 2008.

Commissioner Toole moved to APPROVE the request to terminate the lease. Commissioner Raney seconded the motion, which passed unanimously.

(463) In the matter of TN2425: C.B. Geier, Helena, Montana requests permission to suspend PSC No. 3584 for a six month period, December 15, 2008 to June 15, 2009.

Commissioner Toole moved to APPROVE the request to suspend. Commissioner Mood seconded the motion, which passed unanimously.

(464) In the matter of TN2426: Edward DesRosier d/b/a Sun Tours, East Glacier Park, Montana requests permission to suspend PSC No. 9220 for a six month period December 1, 2008 to June 1, 2009.

Commissioner Toole moved to APPROVE the request to suspend. Commissioner Mood seconded the motion, which passed unanimously.

(465) In the matter of the approval of Commission Minutes for the week of December 15, 2008.

Commissioner Mood moved to APPROVE the Commission Minutes for the week of December 15, 2008. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division

Joel Tierney, Utility Division

(466) In the matter of the Commission's discussion in Docket No. D2007.8.93: Havre Pipeline application for approval to decrease rates and charges for farmstead service.

Commissioner Jergeson moved to APPROVE the final order subject to minor editing changes in Docket No. D2007.8.93. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division

Leroy Beeby, Utility Division

(467) In the matter of the Commission's discussion in Docket No.D2007.8.96: Cut Bank Gas application for approval of true-up of gas cost tracking adjustment.

Commissioner Toole moved to APPROVE the final order subject to minor editing changes in Docket No. D2007.8.96. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(468) In the matter of the Commission's discussion in Docket No. D2004.2.21: Commission investigation of electricity market activity affecting retail customers during period 2000 through 2001.

Commissioner Toole moved to CLOSE Docket No. D2004.2.21 and terminate the investigation subject to the receipt of the final report from the Attorney General's Office. Commissioner Raney seconded the motion, which passed unanimously.

(469) In the matter of the Commission's discussion in Docket No. D2008.12.143: NorthWestern Energy's application for automatic rate adjustment and tracking for taxes and fees.

MOTION 1: Commissioner Raney moved to ISSUE a notice of application, determination of error, intervention deadline, opportunity to comment and provisional hearing date in Docket No. D2008.12.143. Commissioner Mood seconded the motion, which passed unanimously.

MOTION 2: Commissioner Mood moved to APPROVE the rate decrease as applied for effective January 1, 2009 in Docket No. D2008.12.143. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE
Al Brogan, Legal Division
Scott Fabel, Utility Division

(470) In the matter of the Commission's discussion in Docket No. D2008.4.36: NorthWestern Energy investigation of compliance with Order 6505e.

Commissioner Raney moved to ISSUE the final order as drafted subject to minor, non-substantive editing changes in Docket No. D2008.4.36. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE
Robin McHugh, Administrator,
Legal Division

(471) In the matter of the Commission's discussion in Docket No. D2008.9.119: Mountain Water general rate case.

MOTION 1: Commissioner Mood moved to DENY Mountain Water's motion for interim order in Docket No. D2008.9.119. Commissioner Toole seconded the motion, which passed unanimously.

MOTION 2: Commissioner Mood moved to EXTEND the sunset provision of Mountain Water's low income discount tariff to 30 days following the final order, or order on reconsideration, issued in the next Mountain Water general rate case; and directs Mountain Water, in its next general rate case filing, to propose making the low income discount tariff permanent, propose terminating the low income discount, or propose an alternative tariff that meets the objectives of the low income discount. Commissioner Raney seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GREG JERGESON, Chairman

DOUG MOOD, Vice Chairman

BRAD MOLNAR, Commissioner

ROBERT H. RANEY, Commissioner

KEN TOOLE, Commissioner

ATTEST:

Verna Stewart
Commission Secretary

(SEAL)